

STATISTICAL INFORMATION ONLY: Debtor must select the number of each of the following items included in the Plan.

Valuation of Security Assumption of Executory Contract or Unexpired Lease Lien Avoidance

Last revised: August 1, 2020

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY**

In Re: Case No.: 19-19342
Simone Vassell Judge: CMG

Debtor(s)

Chapter 13 Plan and Motions

☐ Original ☒ Modified/Notice Required Date: 12/16/2020
☐ Motions Included ☐ Modified/No Notice Required

THE DEBTOR HAS FILED FOR RELIEF UNDER
CHAPTER 13 OF THE BANKRUPTCY CODE

YOUR RIGHTS MAY BE AFFECTED

You should have received from the court a separate *Notice of the Hearing on Confirmation of Plan*, which contains the date of the confirmation hearing on the Plan proposed by the Debtor. This document is the actual Plan proposed by the Debtor to adjust debts. You should read these papers carefully and discuss them with your attorney. Anyone who wishes to oppose any provision of this Plan or any motion included in it must file a written objection within the time frame stated in the *Notice*. Your rights may be affected by this plan. Your claim may be reduced, modified, or eliminated. This Plan may be confirmed and become binding, and included motions may be granted without further notice or hearing, unless written objection is filed before the deadline stated in the *Notice*. The Court may confirm this plan, if there are no timely filed objections, without further notice. See Bankruptcy Rule 3015. If this plan includes motions to avoid or modify a lien, the lien avoidance or modification may take place solely within the chapter 13 confirmation process. The plan confirmation order alone will avoid or modify the lien. The debtor need not file a separate motion or adversary proceeding to avoid or modify a lien based on value of the collateral or to reduce the interest rate. An affected lien creditor who wishes to contest said treatment must file a timely objection and appear at the confirmation hearing to prosecute same.

The following matters may be of particular importance. Debtors must check one box on each line to state whether the plan includes each of the following items. If an item is checked as "Does Not" or if both boxes are checked, the provision will be ineffective if set out later in the plan.

THIS PLAN:

☐ DOES ☒ DOES NOT CONTAIN NON-STANDARD PROVISIONS. NON-STANDARD PROVISIONS MUST ALSO BE SET FORTH IN PART 10.

☐ DOES ☒ DOES NOT LIMIT THE AMOUNT OF A SECURED CLAIM BASED SOLELY ON VALUE OF COLLATERAL, WHICH MAY RESULT IN A PARTIAL PAYMENT OR NO PAYMENT AT ALL TO THE SECURED CREDITOR. SEE MOTIONS SET FORTH IN PART 7, IF ANY.

☐ DOES ☒ DOES NOT AVOID A JUDICIAL LIEN OR NONPOSSESSORY, NONPURCHASE-MONEY SECURITY INTEREST. SEE MOTIONS SET FORTH IN PART 7, IF ANY.

Initial Debtor(s)' Attorney: /s/WHO Initial Debtor: /s/SV Initial Co-Debtor: _____

Part 1: Payment and Length of Plan

a. The debtor shall pay \$ 184.00 per month to the Chapter 13 Trustee, starting on January 1, 2021 for approximately 28 months.

b. The debtor shall make plan payments to the Trustee from the following sources:

☒ Future earnings

☐ Other sources of funding (describe source, amount and date when funds are available):

c. Use of real property to satisfy plan obligations:

☐ Sale of real property

Description:

Proposed date for completion: _____

☐ Refinance of real property:

Description:

Proposed date for completion: _____

☐ Loan modification with respect to mortgage encumbering property:

Description:

Proposed date for completion: _____

d. ☐ The regular monthly mortgage payment will continue pending the sale, refinance or loan modification.

e. ☐ Other information that may be important relating to the payment and length of plan:

Part 2: Adequate Protection ☒ NONE

a. Adequate protection payments will be made in the amount of \$ _____ to be paid to the Chapter 13 Trustee and disbursed pre-confirmation to _____ (creditor).

b. Adequate protection payments will be made in the amount of \$ _____ to be paid directly by the debtor(s) outside the Plan, pre-confirmation to: _____ (creditor).

Part 3: Priority Claims (Including Administrative Expenses)

a. All allowed priority claims will be paid in full unless the creditor agrees otherwise:

Creditor	Type of Priority	Amount to be Paid
CHAPTER 13 STANDING TRUSTEE	ADMINISTRATIVE	AS ALLOWED BY STATUTE
ATTORNEY FEE BALANCE	ADMINISTRATIVE	BALANCE DUE: \$ 223.75
DOMESTIC SUPPORT OBLIGATION		

b. Domestic Support Obligations assigned or owed to a governmental unit and paid less than full amount:
Check one:

☐ None

☐ The allowed priority claims listed below are based on a domestic support obligation that has been assigned to or is owed to a governmental unit and will be paid less than the full amount of the claim pursuant to 11 U.S.C.1322(a)(4):

Creditor	Type of Priority	Claim Amount	Amount to be Paid
	Domestic Support Obligations assigned or owed to a governmental unit and paid less than full amount.		

Part 4: Secured Claims

a. Curing Default and Maintaining Payments on Principal Residence: ☐ NONE

The Debtor will pay to the Trustee (as part of the Plan) allowed claims for arrearages on monthly obligations and the debtor shall pay directly to the creditor (outside the Plan) monthly obligations due after the bankruptcy filing as follows:

Creditor	Collateral or Type of Debt	Arrearage	Interest Rate on Arrearage	Amount to be Paid to Creditor (In Plan)	Regular Monthly Payment (Outside Plan)
Fox Chase II Condo Assoc.	9 Harrier Court, Neptune, NJ 07753	\$7,677.99	0	\$7,677.99	

b. Curing and Maintaining Payments on Non-Principal Residence & other loans or rent arrears: ☒ NONE

The Debtor will pay to the Trustee (as part of the Plan) allowed claims for arrearages on monthly obligations and the debtor will pay directly to the creditor (outside the Plan) monthly obligations due after the bankruptcy filing as follows:

Creditor	Collateral or Type of Debt	Arrearage	Interest Rate on Arrearage	Amount to be Paid to Creditor (In Plan)	Regular Monthly Payment (Outside Plan)

c. Secured claims excluded from 11 U.S.C. 506: ☒ NONE

The following claims were either incurred within 910 days before the petition date and are secured by a purchase money security interest in a motor vehicle acquired for the personal use of the debtor(s), or incurred within one year of the petition date and secured by a purchase money security interest in any other thing of value:

Name of Creditor	Collateral	Interest Rate	Amount of Claim	Total to be Paid through the Plan Including Interest Calculation

d. Requests for valuation of security, Cram-down, Strip Off & Interest Rate Adjustments ☒ **NONE**

1.) The debtor values collateral as indicated below. If the claim may be modified under Section 1322(b)(2), the secured creditor shall be paid the amount listed as the "Value of the Creditor Interest in Collateral," plus interest as stated. The portion of any allowed claim that exceeds that value shall be treated as an unsecured claim. If a secured claim is identified as having "NO VALUE" it shall be treated as an unsecured claim.

**NOTE: A modification under this Section ALSO REQUIRES
the appropriate motion to be filed under Section 7 of the Plan.**

Creditor	Collateral	Scheduled Debt	Total Collateral Value	Superior Liens	Value of Creditor Interest in Collateral	Annual Interest Rate	Total Amount to be Paid

2.) Where the Debtor retains collateral and completes the Plan, payment of the full amount of the allowed secured claim shall discharge the corresponding lien.

e. Surrender ☒ **NONE**

Upon confirmation, the stay is terminated as to surrendered collateral only under 11 U.S.C. 362(a) and that the stay under 11 U.S.C 1301 be terminated in all respects. The Debtor surrenders the following collateral:

Creditor	Collateral to be Surrendered	Value of Surrendered Collateral	Remaining Unsecured Debt

f. Secured Claims Unaffected by the Plan ☐ NONE

The following secured claims are unaffected by the Plan:

Santander - 1st Mortgage on property 9 Harrier Court, Neptune, NJ 07753 - regular monthly payment to be made outside the chapter 13 plan as per loan modification agreement.

g. Secured Claims to be Paid in Full Through the Plan: ☒ NONE

Creditor	Collateral	Total Amount to be Paid Through the Plan

Part 5: Unsecured Claims ☐ NONE

a. Not separately classified allowed non-priority unsecured claims shall be paid:

- ☐ Not less than \$ _____ to be distributed *pro rata*
- ☒ Not less than 100 percent
- ☐ *Pro Rata* distribution from any remaining funds

b. Separately classified unsecured claims shall be treated as follows:

Creditor	Basis for Separate Classification	Treatment	Amount to be Paid

b. Motion to Avoid Liens and Reclassify Claim from Secured to Completely Unsecured. ☒ **NONE**

The Debtor moves to reclassify the following claims as unsecured and to void liens on collateral consistent with Part 4 above:

Creditor	Collateral	Scheduled Debt	Total Collateral Value	Superior Liens	Value of Creditor's Interest in Collateral	Total Amount of Lien to be Reclassified

c. Motion to Partially Void Liens and Reclassify Underlying Claims as Partially Secured and Partially Unsecured. ☒ **NONE**

The Debtor moves to reclassify the following claims as partially secured and partially unsecured, and to void liens on collateral consistent with Part 4 above:

Creditor	Collateral	Scheduled Debt	Total Collateral Value	Amount to be Deemed Secured	Amount to be Reclassified as Unsecured

Part 8: Other Plan Provisions

a. Vesting of Property of the Estate

- ☒ Upon confirmation
☐ Upon discharge

b. Payment Notices

Creditors and Lessors provided for in Parts 4, 6 or 7 may continue to mail customary notices or coupons to the Debtor notwithstanding the automatic stay.

c. Order of Distribution

The Standing Trustee shall pay allowed claims in the following order:

- 1) Ch. 13 Standing Trustee commissions
- 2) Other Administrative Claims - William H. Oliver
- 3) Secured Claim
- 4) Priority Claims; 5) General unsecured claims

d. Post-Petition Claims

The Standing Trustee ☐ is, ☒ is not authorized to pay post-petition claims filed pursuant to 11 U.S.C. Section 1305(a) in the amount filed by the post-petition claimant.

Part 9: Modification ☐ NONE

NOTE: Modification of a plan does not require that a separate motion be filed. A modified plan must be served in accordance with D.N.J. LBR 3015-2.

If this Plan modifies a Plan previously filed in this case, complete the information below.

Date of Plan being modified: 05/17/2019.

Explain below **why** the plan is being modified:

Debtor has lost income, lowering plan payment and extending length of bankruptcy
Debtor has received loan modification for 1st mortgage

Explain below **how** the plan is being modified:

part 1a: lowering plan payment and extending length of bankruptcy
part 4a: removing Santander to be paid through the plan
part 4f: adding Santander to be paid outside the plan as per loan modification agreement

Are Schedules I and J being filed simultaneously with this Modified Plan?

☒ Yes

☐ No

Part 10: Non-Standard Provision(s): Signatures Required

Non-Standard Provisions Requiring Separate Signatures:

☒ NONE

☐ Explain here:

Any non-standard provisions placed elsewhere in this plan are ineffective.

Signatures

The Debtor(s) and the attorney for the Debtor(s), if any, must sign this Plan.

By signing and filing this document, the debtor(s), if not represented by an attorney, or the attorney for the debtor(s) certify that the wording and order of the provisions in this Chapter 13 Plan are identical to Local Form, *Chapter 13 Plan and Motions*, other than any non-standard provisions included in Part 10.

I certify under penalty of perjury that the above is true.

Date: 12/16/2020

/s/Simone Vassell
Debtor

Date: _____

Joint Debtor

Date: 12/16/2020

/s/William H. Oliver, Jr.
Attorney for Debtor(s)

In re:
Simone Vassell
Debtor(s)

Case No. 19-19342-CMG
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-3

User: admin

Page 1 of 3

Date Rcvd: Jan 04, 2021

Form ID: pdf901

Total Noticed: 45

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.
++	Addresses marked '++' were redirected to the recipient's preferred mailing address pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.P.2002(g)(4).

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jan 06, 2021:

Recip ID	Recipient Name and Address
db	+ Simone Vassell, 9 Harrier Court, Neptune, NJ 07753-7660
cr	+ Foxchase at Tinton Falls II Condominium Associatio, 850 Carolier Lane, North Brunswick, NJ 08902-3312
cr	+ SANTANDER BANK, N.A., Phelan Hallinan & Schmieg, PC, 1617 JFK Boulevard, Suite 1400, Philadelphia, PA 19103-1814
518231771	Amerifinancial Soutlions, LLC, PO Box 65018, Baltimore, MD 21264-5018
518231772	+ Central Jersey Urgent Care, PO Box 645370, Cincinnati, OH 45264-5370
518231777	++ DSNB MACY S, CITIBANK, 1000 TECHNOLOGY DRIVE MS 777, O FALLON MO 63368-2222 address filed with court:, Department Store National Bank/Macy's, Attn: Bankruptcy, 9111 Duke Boulevard, Mason, OH 45040
518231779	+ Dmi/santander Bank Na, 1 Corporate Dr, Lake Zurich, IL 60047-8944
518407144	ECMC, P.O. Box 16408, St. Paul, MN 55116-0408
518407145	ECMC, P.O. Box 16408, St. Paul, MN 55116-0408, ECMC, P.O. Box 16408 St. Paul, MN 55116-0408
518231780	+ Fox Chase II Condominium Assoc, Inc, 1090 King Georges Post Road, Suite 301, Edison, NJ 08837-3704
518231781	+ Foxchase II Condominium Assoc, c/o Cutolo Barros, LLC, 151 Highway 33 East, Suite 204, Manalapan, NJ 07726-8635
518256983	+ Foxchase at Tinton Falls II, Condo Assoc., Inc., 850 Carolier Ln, No. Brunswick, NJ 08902-3312
518231782	Hackensack Meridian Health, PO Box 419801, Boston, MA 02241-9801
518231783	IC Systems, Inc., 444 Highway 96 East, PO Box 64378, Saint Paul, MN 55164-0378
518231785	+ McGovern Legal Services, LLC, 850 Carolier Lane, North Brunswick, NJ 08902-3312
518231786	+ Momouth EMA, PO box 417442, Boston, MA 02241-7442
518270365	+ Nelnet on behalf of ASA, American Student Assistance, PO Box 16129, St. Paul, MN 55116-0129
518351641	+ SANTANDER BANK, N.A., SANTANDER BANK, N.A., 1 CORPORATE DR., SUITE 360, LAKE ZURICH IL 60047-8945
518231790	+ State of New Jersey, Division of Taxation, PO Box 245, Trenton, NJ 08602-0245
518231797	++ TOYOTA MOTOR CREDIT CORPORATION, PO BOX 8026, CEDAR RAPIDS IA 52408-8026 address filed with court:, Toyota Financial Services, Atty: Bankruptcy Dept, Po Box 8026, Cedar Rapids, IA 52409
518231798	+ Toyota Financial Services, Po Box 9786, Cedar Rapids, IA 52409-0004
518303788	+ Toyota Lease Trust, c/o Toyota Motor Credit Corporation, PO Box 9013, Addison, Texas 75001-9013
518231801	USAA Federal Savings Bank, Po Box 47504, San Antonio, TX 78265
518231800	+ USAA Federal Savings Bank, Attn: Bankruptcy, 10750 Mcdermott Freeway, San Antonio, TX 78288-1600
518231802	+ Wells Fargo Dealer Services, Po Box 10709, Raleigh, NC 27605-0709
518231803	Woman's Place, 34 Sycamore Avenue, Suite 2A, Little Silver, NJ 07739-1248

TOTAL: 26

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI). Electronic transmission is in Eastern Standard Time.

Recip ID	Notice Type: Email Address	Date/Time	Recipient Name and Address
smg	Email/Text: usanj.njbankr@usdoj.gov	Jan 04 2021 21:46:00	U.S. Attorney, 970 Broad St., Room 502, Rodino Federal Bldg., Newark, NJ 07102-2534
smg	+ Email/Text: ustpregion03.ne.ecf@usdoj.gov	Jan 04 2021 21:46:00	United States Trustee, Office of the United States Trustee, 1085 Raymond Blvd., One Newark Center, Suite 2100, Newark, NJ 07102-5235
518231770	Email/Text: ebn@americollect.com	Jan 04 2021 21:46:00	Americollect, Inc., PO Box 1505, Manitowoc, WI 54221-1505
518231774	+ Email/Text: BNC-ALLIANCE@QUANTUM3GROUP.COM	Jan 04 2021 21:46:00	ComenityCapital/Bosco, Po Box 182120, Columbus, OH 43218-2120
518231773	+ Email/Text: BNC-ALLIANCE@QUANTUM3GROUP.COM	Jan 04 2021 21:46:00	ComenityCapital/Bosco, Attn: Bankruptcy Dept,

District/off: 0312-3

User: admin

Page 2 of 3

Date Rcvd: Jan 04, 2021

Form ID: pdf901

Total Noticed: 45

			Po Box 182125, Columbus, OH 43218-2125
518231775	+ Email/Text: convergent@ebn.phinsolutions.com	Jan 04 2021 21:47:00	Convergent Outsourcing, Inc., Attn: Bankruptcy, Po Box 9004, Renton, WA 98057-9004
518231776	+ Email/Text: convergent@ebn.phinsolutions.com	Jan 04 2021 21:47:00	Convergent Outsourcing, Inc., 800 Sw 39th St, Renton, WA 98057-4927
518231784	Email/Text: sbse.cio.bnc.mail@irs.gov	Jan 04 2021 21:46:00	Internal Service Revenue, PO Box 7346, Philadelphia, PA 19101-7346
518231787	Email/Text: ebn@rwjbh.org	Jan 04 2021 21:47:00	Monmouth Medical Center, PO Box 29965, New York, NY 10087-9965
518231788	+ Email/Text: electronicbkydocs@nelnet.net	Jan 04 2021 21:46:00	Nelnet, Attn: Claims, Po Box 82505, Lincoln, NE 68501-2505
518231789	+ Email/Text: electronicbkydocs@nelnet.net	Jan 04 2021 21:46:00	Nelnet, 3015 S Parker Rd, Aurora, CO 80014-2904
518340751	Email/Text: bnc-quantum@quantum3group.com	Jan 04 2021 21:46:00	Quantum3 Group LLC as agent for, Comenity Capital Bank, PO Box 788, Kirkland, WA 98083-0788
518231791	+ Email/PDF: gecsed@recoverycorp.com	Jan 04 2021 21:39:29	Synchrony Bank/Amazon, Attn: Bankruptcy, Po Box 965060, Orlando, FL 32896-5060
518231792	+ Email/PDF: gecsed@recoverycorp.com	Jan 04 2021 21:39:29	Synchrony Bank/Amazon, Po Box 965015, Orlando, FL 32896-5015
518231793	+ Email/PDF: gecsed@recoverycorp.com	Jan 04 2021 21:39:29	Synchrony Bank/Banana Republic, Attn: Bankruptcy Dept, Po Box 965060, Orlando, FL 32896-5060
518231794	+ Email/PDF: gecsed@recoverycorp.com	Jan 04 2021 21:39:29	Synchrony Bank/Banana Republic, Po Box 965005, Orlando, FL 32896-5005
518231795	+ Email/PDF: gecsed@recoverycorp.com	Jan 04 2021 21:41:18	Synchrony Bank/Lowes, Attn: Bankruptcy, Po Box 965060, Orlando, FL 32896-5060
518231796	+ Email/PDF: gecsed@recoverycorp.com	Jan 04 2021 21:43:16	Synchrony Bank/Lowes, Po Box 956005, Orlando, FL 32896-0001
518231799	+ Email/Text: bankruptcydepartment@tsico.com	Jan 04 2021 21:47:00	Transworld Systems, Inc., Collection Agency, 500 Virginia Drive, Suite 514, Fort Washington, PA 19034-2733

TOTAL: 19

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

Recip ID	Bypass Reason	Name and Address
518231778	*P++	DSNB MACY S, CITIBANK, 1000 TECHNOLOGY DRIVE MS 777, O FALLON MO 63368-2222, address filed with court; Department Store National Bank/Macy's, Po Box 8218, Mason, OH 45040

TOTAL: 0 Undeliverable, 1 Duplicate, 0 Out of date forwarding address

NOTICE CERTIFICATION

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

District/off: 0312-3

User: admin

Page 3 of 3

Date Rcvd: Jan 04, 2021

Form ID: pdf901

Total Noticed: 45

Date: Jan 06, 2021

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on January 4, 2021 at the address(es) listed below:

Name	Email Address
Albert Russo	on behalf of Trustee Albert Russo docs@russotrustee.com
Albert Russo	docs@russotrustee.com
Denise E. Carlon	on behalf of Creditor Toyota Lease Trust dcarlon@kmlawgroup.com bkgroup@kmlawgroup.com
Marlena S. Diaz-Cobo	on behalf of Creditor Foxchase at Tinton Falls II Condominium Association Inc. collections@theassociationlawyers.com
Rebecca Ann Solarz	on behalf of Creditor Toyota Lease Trust rsolarz@kmlawgroup.com
U.S. Trustee	USTPRegion03.NE.ECF@usdoj.gov
William H. Oliver, Jr.	on behalf of Debtor Simone Vassell court docs@oliverandlegg.com R59915@notify.bestcase.com

TOTAL: 7